

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOHN THOMPKINS,

Plaintiff, :

v.

Case No. 2:22-cv-2792
Judge Sarah D. Morrison
Magistrate Judge Chelsey M.
Vascura

MUSKINGUM COUNTY
SHERIFF'S DEPT., *et al.*, :

Defendants.

ORDER

On August 24, 2022, the Magistrate Judge issued a Report and Recommendation recommending that Plaintiff John Thompson's action be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. (R&R, ECF No. 4.) Despite filing two amended complaints (ECF Nos. 3, 5), Mr. Thompson has failed to comply with the Court's July 14, 2022 order directing him to either pay the \$402.00 filing fee or submit a properly supported application to proceed *in forma pauperis*.¹ (ECF No. 2.)

Although Mr. Thompson was advised of the right to file objections to the Magistrate Judge's Report and Recommendation, and of the consequences of failing to do so (R&R, PageID 17–18), no objections have been filed. The Report and Recommendation is **ADOPTED** and **AFFIRMED**. For the reasons set forth

¹ For clarity, the R&R's reference to "no later than September 25, 2021" is a typo. The July 14, 2022 order required Mr. Thompson to pay the filing fee or to submit his *in forma pauperis* application within 30 days of the date of that order. (ECF No. 2.)

therein, this action is **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b). It is further **ORDERED** that Mr. Thompkins list 2:22-cv-2792 as a related case if he re-files this action. The Court will not assess the filing fee in this matter. Finally, the Clerk is **DIRECTED** to **TERMINATE** this case from the docket records of the United States District Court for the Southern District of Ohio.

IT IS SO ORDERED.

/s/ Sarah D. Morrison
SARAH D. MORRISON
UNITED STATES DISTRICT JUDGE